

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KENNY ALLEN,)	
)	
Petitioner,)	Case No. 1:07-cv-809
)	
v.)	Honorable Wendell A. Miles
)	
JOHN PRELESNIK,)	
)	
Respondent.)	<u>JUDGMENT</u>
)	

In accordance with the memorandum opinion filed this date:

IT IS ORDERED that petitioner's objections to the report and recommendation of the magistrate judge (docket # 13) be and hereby are OVERRULED.

IT IS FURTHER ORDERED that the report and recommendation of the magistrate judge (docket # 10), as supplemented by the memorandum opinion, is ADOPTED as the opinion of this court.

IT IS FURTHER ORDERED that the habeas corpus petition be and hereby is DISMISSED with prejudice on the ground of the statute of limitations.

IT IS FURTHER ORDERED that a certificate of appealability is DENIED.

Dated: December 5, 2007

/s/ Wendell A. Miles
Wendell A. Miles
Senior United States District Judge